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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DAVID S. BRAUN,

Plaintiff,

v.

UNITED STATES,

Defendant.

Case No. 3:24-cv-00029-RCJ-CSD
ORDER GRANTING
**Unopposed Motion for Extension of
Time to Respond to Plaintiff's First
Amended Complaint**

(First Request)

Defendant United States ("United States"), by and through undersigned counsel, hereby moves for an extension of time to respond to Plaintiff's First Amended Complaint. The United States requests that the time be extended to June 10, 2024 (45 days from current date the response is due). This is the United States' first request. The basis for this motion is as follows:

1. Plaintiff, David S. Braun, pro se ("Plaintiff"), commenced this civil action by filing a Complaint naming the United States on January 18, 2024. ECF No. 1. The U.S. Attorney for the District of Nevada was served with the Summons and Complaint on January 31, 2024.

2. On March 29, 2024, the United States timely filed a Motion to Dismiss and Motion to Stay Discovery. ECF Nos. 12 & 13.

1 3. Following the filing of the United States' Motion to Dismiss, on April 11,
2 2024, Plaintiff filed a First Amended Complaint pursuant to Federal Rule of Civil
3 Procedure Rule 15(a)(1)(A). ECF No. 18.

4 4. Rule 15(a)(3) provides that "[u]nless the court orders otherwise, any required
5 response to an amended pleading must be made within the time remaining to respond to
6 the original pleading or within 14 days after service of the amended pleading, whichever is
7 later." *See* Fed. R. Civ. P. 15(a)(3).

8 5. Here, under Rule 15(a)(3), the United States' time to respond to Plaintiff's
9 First Amended Complaint is 14 days after service or April 25, 2024.

10 6. In addition, Plaintiff's First Amended Complaint adds eight new Counts or
11 allegations to an already voluminous nine Count Complaint and adds 47 additional pages
12 of exhibits, to the already existing 140 pages of exhibits previously filed with the original
13 Complaint. *See* ECF Nos. 18 at 47 to 68 and 18-2.

14 7. Counsel for the United States recently took over the handling of this case
15 from a former AUSA and is in the process of reviewing all of the pertinent filings and
16 issues related to this matter, including the newly stated allegations in Plaintiff's First
17 Amended Complaint.

18 8. Accordingly, it is proposed and requested that the time within which the
19 United States is required to respond to Plaintiff's First Amended Complaint be extended to
20 June 10, 2024.

21 9. The additional time is needed to meaningfully evaluate the new allegations
22 of the First Amended Complaint and prepare a response to that pleading.

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Respectfully submitted this 24th day of April 2024.

/s/ Summer A. Johnson
SUMMER A. JOHNSON
Assistant United States Attorney

DATED: April 24, 2024.

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